IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 35667 of 2007(U)

PETITIONER:

BOBAN JOSEPH, AGED 49 YEARS,
S/O.M.C.JOSEPH, MALIACKAL HOUSE,
CHUNANGAMVELI, ALWAYE TALUK, ALWAYE EAST VILLAGE,
ERUMATHALA P.O., ALWAYE.

BY ADV. SRI.JOY GEORGE
SMT.PRAICY JOSEPH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, KERALA STATE ELECTRICITY
BOARD, VYDHUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM.

2. THE ELECTRICAL INSPECTOR,
OFFICE OF THE ELECTRICAL INSPECTORATE,
ERNAKULAM.

3. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, ALUVA.

R2&3 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.35667 of 2007

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Dated this the 6th day of December, 2007.

JUDGMENT

The W.P. is filed apprehending disconnection of electric connection given at commercial tariff for construction of a flat complex. Standing Counsel for KSEB stated that Aluva Municipality has requested KSEB to disconnect supply as the building is constructed without approval. The KSEB is bound to go by the instruction of the Municipality so far as the connections to residential flats are concerned. In other words connection should be given only after petitioner gets numbers from the Municipality for each and every flat. However, since the connection presently enjoyed by the petitioner is only for construction purpose, KSEB is directed to verify the plan and other approvals obtained by the petitioner and if construction is legal, to permit the petitioner to continue the connection. If disconnection is proposed, KSEB will issue notice, give opportunity to raise objections and order disconnection, if justified by giving reasons for the same.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms